

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims:**

1. (currently amended) A device for navigating an instrument (4) in a body volume that is subject to a spontaneous movement that can be described by a movement parameter (E), comprising:

- a) a locating device (2) for ~~determining the~~ measuring a location (r) of the instrument (4);
- b) a sensor device (5) for ~~determining~~ measuring the movement parameter (E); and
- c) a data processing device (10) coupled to the locating device (2) and the sensor device, wherein the data processing device comprises (5) and comprising a movement model (11) that describes the spontaneous movement of the body volume as a function of the movement parameter (E), wherein with (i) the aid of the movement model, (ii) a current measured location (r) and (iii) an associated current movement parameter, the data processing device (10) ~~is designed to correlate~~ calculates an estimated movement-compensated location ( $r + \Delta$ ), corresponding to the current measured location (r) plus a vectorial displacement ( $\Delta$ ), of the instrument that the instrument would have in a reference phase ( $E_0$ ) of the spontaneous movement ~~with measured values of the location (r) of the instrument (4) and of the associated movement parameter (E) with the aid of the movement model (11).~~

2. (currently amended) [[A]] The device as claimed in claim 1, ~~characterized in that~~ wherein the data processing device (10) is designed to reconstruct the movement model (11) from measured values for the location of the interpolation nodes and ~~for the~~ associated movement parameters (E).

3. (currently amended) [[A]] The device as claimed in claim 2, ~~characterized in that~~  
further wherein the data processing device (40) is designed to supplement the  
measured movement of the interpolation nodes in the movement model (44) by  
interpolation.

4. (currently amended) [[A]] The device as claimed in claim 2, ~~characterized in that~~  
further wherein the data processing device is designed to determine, ~~in particular from~~  
~~X-ray, CT or MRI recordings~~, measured values for the location of interpolation nodes  
from a series of three-dimensional images of the body volume, wherein the series of  
three-dimensional images are obtained from at least one of X-ray, CT and MRI  
recordings.

5. (currently amended) [[A]] The device as claimed in claim 2, ~~characterized in that~~  
wherein the measured values for the location of the interpolation nodes of the body  
volume correspond to locations ( $r$ ), measured with the locating device (2), of the  
instrument (4).

6. (currently amended) [[A]] The device as claimed in claim 5, ~~characterized in that~~  
wherein the measured locations ( $r$ ) of the instrument (4) ~~have been~~ are obtained without  
moving the instrument (4) relative to the body volume.

7. (currently amended) [[A]] The device as claimed in claim 1, ~~characterized in that~~  
further wherein the data processing device (40) comprises a memory containing a static  
image (42) of the body volume and is designed to determine the estimated movement-  
compensated location ( $r + \Delta$ ), ~~estimated~~ for the reference phase ( $E_0$ ), of the instrument  
(4) in the static image.

8. (currently amended) [[A]] The device as claimed in claim 1, ~~characterized in that~~  
wherein the sensor device comprises an ECG apparatus ~~(5)~~ and/or an apparatus for  
determining the respiration phase.

9. (currently amended) [[A]] The device as claimed in claim 1, ~~characterized in that~~  
wherein the locating device ~~(2)~~ is designed to determine the location of the instrument  
~~(4)~~ with the aid of magnetic fields and/or with the aid of optical methods.

10. (currently amended) A method of navigating an instrument ~~(4)~~ in a body volume that  
is subject to a spontaneous movement that can be described by a movement parameter  
(E), the method comprising the following steps:

- a) ~~measurement of the~~ measuring a location of interpolation nodes of the body  
volume and ~~of the~~ associated movement parameters (E) in different phases of the  
spontaneous movement;
- b) ~~reconstruction of~~ reconstructing a movement model ~~(11)~~ for the body volume  
from said measured values of the location of interpolation nodes and associated  
movement parameters;
- c) ~~measurement of the~~ measuring a location (r) of the instrument ~~(4)~~ and ~~of the~~ an  
associated movement parameter (E); and
- d) ~~calculation of the~~ calculating, with the aid of the movement model, a current  
measured location and an associated current movement parameter, an estimated  
movement-compensated position ( $r + \Delta$ ), corresponding to the current measured  
location (r) plus a vectorial displacement ( $\Delta$ ), of the instrument ~~(4)~~ in a reference phase  
(E<sub>0</sub>) of the spontaneous movement ~~with the aid of the movement model (11).~~